



## AB 341 AND SB 1383 RECYCLING REGULATIONS WAIVER REQUEST FORM

### INSTRUCTIONS:

California Assembly Bill 341 (AB 341) requires that commercial businesses that generate four or more cubic yards of refuse per week, and multi-family properties of five units or more, arrange for recycling services (i.e., plastics, metal, glass, etc.) California Senate Bill 1383 (SB 1383) requires all businesses and multi-family complexes (hereinafter referred to as Property/ies) to arrange for organic waste recycling services (i.e., food waste, green waste, and fibers such as paper and cardboard). As required by the state of California, these regulations were codified in the Gardena Municipal Code to allow for local enforcement. Certain Properties may qualify for waivers from these mandatory programs; however, only those who have requested and received an approved waiver from the City can avoid mandated participation. **All waiver requests are to be verified in-person by a representative of WM.** If a waiver is not verified by WM and approved by the City, your Property will be required to participate in mandated services.

To apply for exemption, WM will assist you in completing the accompanying AB 341/SB 1383 Waiver Request Form and provide the required information. Waivers may be requested for each type of exemption you believe applies to your Property. There are four types of waiver requests:

#### **1. Third-Party Waiver for Properties with Landscape Contractors/Organics Recyclers**

- Properties that have organics recycling by a landscaper or other third-party recycler may apply.
- Third-party recyclers must maintain disposal/recycling records and divert organics from landfills as required by state law.
- Your Property must agree to submit information to the City periodically to verify ongoing programs (copy of agreement specifying organic waste is diverted).

#### **2. Waiver for Properties with Minimal Organic Waste (i.e., "De Minimis Waiver")**

- Properties that generate a limited amount of organic waste may apply for a low-generator "de minimis" waiver if they have:
  - A) Total solid waste collection of two cubic yards or more per week (i.e., equal to at least 12 large or 24 regular trash bags, or about two-thirds of a standard dumpster), and organic waste of less than 20 gallons per week (i.e., about 2 tall kitchen bags); or
  - B) Total solid waste collection of less than two cubic yards per week and collected organic waste of less than 10 gallons per week.

#### **3. Space Constraint Waiver**

- Properties lacking space for separate or additional mixed organics collection containers may request a space-constraint waiver.
- To qualify, you must demonstrate that space constraints cannot be resolved by downsizing containers, altering an enclosure, or other solutions. You must first work with WM to consider solutions to space constraints.
- State regulations allow the City to waive compliance only if the City's own staff, a licensed architect, or a licensed engineer confirms the lack of adequate container space.

#### **4. Self-Haul Waiver**

- Properties that self-haul recyclables and/or organic waste or have a third-party collect recyclables may apply (excepting landscaping companies).

To receive a Self-Haul Waiver you must obtain a City of Gardena self-hauler permit and operate in accordance with the City of Gardena Municipal Code section 8.20.173. Self-hauler applications must be completed in person at the Gardena Building & Safety Department (located at 1700 W 162nd St. Gardena, CA 90247). For more information, please contact the City of Gardena at (310) 217-9530.

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**NOTE:** Properties granted waivers will be exempted for a five-year period from state requirements. To remain exempt, state law requires you to submit written verification of eligibility to the City every five years. During each five-year exemption period, state law also requires that you notify the City any time the waste generated at your property exceeds the qualifying waste-generation amount for any waiver granted or of any other relevant changes.

*To apply for a waiver, please have WM complete the waiver on your behalf, sign the waiver, and submit the AB 341 / SB 1383 Waiver Request Form & any supporting documentation (via U.S. mail) to: WM, Attn: Customer Service, 407 East El Segundo Blvd., Compton, CA 90222*

\*Visit <https://www.calrecycle.ca.gov/recycle/commercial/organics> for additional information on approved diversion methods



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APPLICANT INFORMATION			
BUSINESS OR MULTI-FAMILY COMPLEX NAME		BUSINESS LICENSE	
BUSINESS OR MULTI-FAMILY COMPLEX PHYSICAL ADDRESS		DATE SUBMITTED	
MAILING ADDRESS	CITY	STATE	ZIP
CONTACT INFORMATION			
Contact Name/Title		Phone Number	Email
WM REPRESENTATIVE COMPLETING FORM (print name)		DATE OF SITE VISIT	
<b>WAIVER TYPE</b> (Check the box(es) adjacent to the exemption waiver type(s) you are requesting below and provide information and answers to <i>all</i> questions requested for each waiver choice.)			
<input type="checkbox"/> <b>THIRD-PARTY WAIVER (for properties with landscape contractors, or other third-party recyclers)</b> <i>Please provide the following information to request a Third-Party Recycling Waiver:</i> <ul style="list-style-type: none"> <li>• Third-party organics / recycling service (e.g., landscaper) information:            Recycler: _____ Business Lic #: _____            Contact Name: _____ Phone: _____            Material Type(s): _____ Estimated pounds per week: _____            Facility where this material is taken for recycling: _____</li> </ul>			
<input type="checkbox"/> <b>WAIVER FOR BUSINESS WITH MINIMAL ORGANIC WASTE (i.e. "De Minimis" Waiver)</b> <i>Please provide the following information to request a "De Minimis" Waiver:</i> <ul style="list-style-type: none"> <li>• Average amount of organic waste collected per week:               <ul style="list-style-type: none"> <li><input type="checkbox"/> ≥ 2 cubic yards or waste and &lt; 20 gallons of organics</li> <li><input type="checkbox"/> &lt; 2 cubic yards or waste and &lt; 10 gallons of organics</li> </ul> </li> <li>• Does your business have a City-issued organics recycling cart that you would like removed?</li> </ul>			
<input type="checkbox"/> <b>SPACE CONSTRAINT WAIVER</b> <i>Please provide the following information to request a Space Constraint Waiver:</i> <ul style="list-style-type: none"> <li><input type="checkbox"/> I have documentation that space constraints preclude placement of mixed organics and/or recycling containers at my business. _____ (Please attach documentation, including photographs of enclosure, or other location of containers)</li> <li><input type="checkbox"/> I have worked with the City/WRG to determine that we cannot adjust container sizes or make other such changes to resolve the space constraint issue. _____</li> </ul> Please indicate the specific program(s) you are requesting a waiver for: <input type="checkbox"/> Organics only <input type="checkbox"/> Recycling only <input type="checkbox"/> Organics and Recycling			

**SELF-HAUL WAIVER**

*Please provide the following information to request a Self-Haul Waiver:*

• Self-Haul Information:

- City of Gardena Self-Hauler Permit No#: \_\_\_\_\_
- Material type(s) self-hauled: \_\_\_\_\_
- Estimated pounds per week by material type: \_\_\_\_\_
- Facility where this material is taken for recycling: \_\_\_\_\_

By signing this form, you attest that you have a full understanding of your business' obligations to provide information, report to, and otherwise fully cooperate with the City, as detailed in the instructions herein which accompany this form.

\_\_\_\_\_  
Printed Name, Title and Signature of Authorized Business Representative

\_\_\_\_\_  
Date

**If you have any questions, please contact the City's Solid Waste Consultant at  
(949) 409-6430 or (925) 600-6003**

**For WM Use Only**

- Sent to City By: \_\_\_\_\_ Date: \_\_\_\_\_
- Date Received from City for Customer Database Entry: \_\_\_\_\_

**For City Use Only**

- Approved
- Denied-Reason: \_\_\_\_\_
- Requires additional documentation: \_\_\_\_\_
- Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_
- City Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

**All SB 1383 Waivers Expire Five (5) Years after Date of City Approval**